

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **EDCV 24-0986 JGB (SHKx)** Date September 4, 2024

Title ***Richard Nassar v American Express National Bank***

Present: The Honorable **JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE**

**MAYNOR GALVEZ**

Deputy Clerk

**Not Reported**

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings: Order to Show Cause (IN CHAMBERS)**

On May 10, 2024, pro se plaintiff Richard Nassar (“Plaintiff”) filed a complaint against defendant American Express National Bank (“Defendant”). (“Complaint,” Dkt. No. 1.) On July 5, 2024, Defendant answered. (“Answer,” Dkt. No. 10.)

On August 1, 2024, Defendant filed a motion to compel arbitration and to stay the action. (“MTC” or “Motion,” Dkt. No. 14.) The Motion is noticed for hearing on September 9, 2024.

As of the date of this Order to Show Cause (“OSC”), Plaintiff Nassar has failed to file opposition papers. Pursuant to this Court’s Local Rules, a party must file opposition papers, or a notice of non-opposition, no later than twenty-one days before the date designated for the hearing on the Motion. L.R. 7-9. Accordingly, Plaintiff Nassar should have filed an opposition, or a notice of non-opposition, by August 19, 2024. See L.R. 7-9.

Pursuant to Local Rule 7-12, “[t]he failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion . . . .” L.R. 7-12. Furthermore, Rule 41(b) of the Federal Rules of Civil Procedure authorizes the Court to *sua sponte* dismiss actions for failure to comply with court orders. See Fed. R. Civ. P. 41(b).

Accordingly, the Court **ORDERS** Plaintiff Nassar to file an opposition *or* a notice of non-opposition by Monday, **September 16, 2024**. Failure to comply with this Court’s order may result the granting of Defendant’s Motion, or dismissal of Plaintiff’s Complaint.

The Court **CONTINUES** the hearing on Defendant's Motion to **September 30, 2024 at 9:00 a.m.**

**IT IS SO ORDERED.**